

DEPARTMENT OF COMMERCE **Patent and Trademark Office**

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ATTORNEY DOCKET NO FIRST NAMED INVENTOR APPLICATION NO. **FILING DATE**

08/808,031

SUITE 500

GERARD J WEISER

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03/03/97

INOUYE

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377.5888P

HM12/0528

SRIVASTAVA, D

EXAMINER

ART UNIT

PAPER NUMBER

32

1653

DATE MAILED:

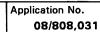
05/28/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



Office Action Summary



Approant(s)

Examiner

Inouye et al.
Group Art Unit

Devesh Srivastava, Ph.D.

1653



Responsive to communication(s) filed on Dec 7, 199	98
☐ This action is FINAL .	
Since this application is in condition for allowance ex in accordance with the practice under Ex parte Quay	xcept for formal matters, prosecution as to the merits is closed y/e, 1935 C.D. 11; 453 O.G. 213.
is longer, from the mailing date of this communication.	n is set to expire1month(s), or thirty days, whichever Failure to respond within the period for response will cause the Extensions of time may be obtained under the provisions of
Disposition of Claims	
X Claim(s) 1-16	is/are pending in the application.
Of the above, claim(s)	is/are withdrawn from consideration.
Claim(s)	
	is/are objected to.
	are subject to restriction or election requirement.
Application Papers	
☐ See the attached Notice of Draftsperson's Patent	Drawing Review, PTO-948.
☐ The drawing(s) filed on is/a	re objected to by the Examiner.
☐ The proposed drawing correction, filed on	is approved disapproved.
$\hfill\Box$ The specification is objected to by the Examiner.	
☐ The oath or declaration is objected to by the Example.	miner.
Priority under 35 U.S.C. § 119	
Acknowledgement is made of a claim for foreign	
☐ All ☐ Some* ☐ None of the CERTIFIED	copies of the priority documents have been
received.	·
received in Application No. (Series Code/S	
•	from the International Bureau (PCT Rule 17.2(a)).
*Certified copies not received:	
Acknowledgement is made of a claim for domest	tic priority under 35 0.5.C. 3 115(e).
Attachment(s)	
□ Notice of References Cited, PTO-892	Paper No(e)
☐ Information Disclosure Statement(s), PTO-1449,	rape: NO(5).
	. PTO-948
☐ Notice of Informal Patent Application, PTO-152	,
	•
SEE OFFICE ACT.	ION ON THE FOLLOWING PAGES



Application/Control Number: 08/808,031

Art Unit: 1653

DETAILED ACTION

1. The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 1653.

Specification

2. The specification contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR § 1.821(a) and (a)(2). However, the specification fails to comply with one or more of the requirements of 37 CFR § 1.821 through 1.825 as follows: there is a reference to SEQ ID NO:53 in claim 4, but, as set forth in the "Sequence Listing", there are only 52 sequences in the case. Appropriate correction for compliance is required.

Response to Amendment

The reply filed on December 7, 1998 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): The response was silent to the Double Patenting rejection in the prior Office Action. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

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Conclusion

- 4. Claims 1-16 remain rejected.
- 5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devesh Srivastava, Ph.D. whose telephone number is (703) 305-0775. The examiner can normally be reached on Monday-Thursday from 8:00 am to 5:30 pm and alternate Fridays from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bradley Sisson, Ph.D. can be reached on (703) 308-3978. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-0294.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

Devesh Srivastava, Ph.D. Patent Examiner May 26, 1999

> KAREN COCHRANE CARLSON, PH.D PRIMARY EXAMINER

Jan Cahan Carlsa P W